

**BOARD OF SUPERVISORS
FINANCE/GOVERNMENT OPERATIONS and ECONOMIC DEVELOPMENT
COMMITTEE
MEETING SUMMARY**

January 12, 2016

6:00 p.m.

**Loudoun County Government Center
1 Harrison Street, S.E., Leesburg, VA
Board Room**

Committee Members Present: Matthew Letourneau, Chairman
Phyllis Randall
Ralph Buona
Koran Saines

Committee Members Absent: Tony Buffington

A recording of this meeting is available at:

http://loudoun.granicus.com/MediaPlayer.php?view_id=68&clip_id=4292

CALL TO ORDER

Chairman Letourneau called to order the meeting of the Finance/Government Operations and Economic Development Committee at 6:02 p.m.

1. Monthly Department of Economic Development Report

The Department of Economic Development's (DED) monthly statistical report shows leading economic indicators for Loudoun County and key department performance indicators. The director will also report on key economic development activities that have occurred since the May 2015 meeting. The November FY 2016 DED Monthly Update was presented to the committee.

Election District: Countywide

Staff Contacts: Buddy Rizer, Economic Development

2. Overview of Economic Development Incentive Funds and Guidelines

This item provides background information and a status report on the County's Economic Development Commercial Business Incentive and Agriculture and Forestry Industries Development (AFID) Funds along with their associated guidelines.

More information is available online at:

http://loudoun.granicus.com/MediaPlayer.php?view_id=68&clip_id=4292&meta_id=91818

Election District: Countywide

Staff Contacts: Buddy Rizer, Economic Development

3. Procurement Overview

The Division of Procurement is responsible for the purchase of goods and services for all County departments. This item provides a high level overview of the competitive thresholds and the type of contract-related items that will be presented for approval to the

Finance/Government Operations and Economic Development Committee and the Board of Supervisors.

Election District: Countywide

Staff Contacts: John Sandy, County Administration
Cheryl Middleton, Finance and Procurement

4. CONTRACT RENEWAL/On Call Roadway Transportation Design Services

The Request for Proposal RFQ-72 was issued on September 11, 2014, for the On Call Roadway/Transportation Design Services. Upon evaluation of the proposals received, contracts were awarded to Dewberry Consultants, LLC, Wallace Montgomery & Associates, LLP, J2 Engineering, Inc., and ATCS, PLC in the estimated amount of \$4,000,000. Because of the volume of roadway and transportation projects in the County, the Board Supervisors approved an award authority increase for a new contract total of \$6,000,000 on October 21, 2015. The County uses these contracts to provide professional engineering services to design projects required to maintain, improve, or expand the County's transportation infrastructure in support of the approved Capital Facilities Improvement Program. The current contract period ends on February 14, 2016. Funding for this contract would come from project appropriations in the Capital fund, the Department of Transportation & Capital Infrastructure's operational budget, and/or Proffer funds subject to appropriation by the Board. No additional appropriations are being requested for this contract award.

On January 12, 2016 Vice Chairman Buona moved that the Finance/Government Operations and Economic Development Committee recommend to the Board of Supervisor that the Purchasing Agent be authorized to renew the On Call Roadway Transportation Design Services contracts with Dewberry Consultant, LLC, Wallace Montgomery & Associates, LLP, J2 Engineers, Inc., and ATCS, P.L.C., in the estimated amount of \$6,000,000. Seconded by Chair Randall. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Election District: Countywide

Staff Contacts: Joe Kroboth, Transportation and Capital Infrastructure
Mark Hoffman, Transportation and Capital Infrastructure
Mike Angel, Finance and Procurement

5. AWARD AUTHORITY INCREASE/On Call Geotechnical Engineering and Soil Scientists Services

Request for Proposal No. 184 was issued on August 19, 2015 for the On Call Geotechnical Engineering and Soil Scientists Services. The County awarded a one-year with four one-year optional contract to GeoConcepts Engineering, Inc., ECS Mid-Atlantic, LLC and Triad Engineering, Inc. for \$450,000. Historically, this contract has been used to investigate site conditions and to verify material performance on County Capital Improvement Programs (CIP) building projects. With the addition of numerous road projects to the County CIP, the use of this contract is being expanded to include site investigations for road design. By using the On Call Geotechnical Engineering and Soil Scientist Services contract on road projects instead of subcontracting geotechnical services through the On Call Roadway Transportation Design Services contract, contract award authority is preserved in the On Call Roadway Transportation

Design Services contract for road design. Ultimately, this arrangement helps streamline the time needed to design multiple road projects concurrently by maximizing the use of the On Call Roadway Transportation Design Services contract and reducing the number of road projects needing to go through the more time consuming Request for Proposal process to procure design services.

On January 12, 2016 Vice Chairman Buona moved that the Finance/Government Operations and Economic Development Committee recommend to the Board of Supervisors that the Purchasing Agent be authorized to increase the award authority for the On Call Geotechnical Engineering and Soil Scientists Services contracts with GeoConcepts Engineering, Inc., ECS Mid-Atlantic, LLC and Triad Engineering, Inc. by \$1,050,000 for a new estimated amount of \$1,500,000. Seconded by Chair Randall. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Election District: Countywide

Staff Contacts: Joe Kroboth, Transportation and Capital Infrastructure
Mark Hoffman, Transportation and Capital Infrastructure
Mike Angel, Finance and Procurement

6. Request for 1.07 FTE in the Department of Fire, Rescue and Emergency Management

This mid-year enhancement request, which will cost an estimated \$52,065, requires no additional local tax funding. The estimated full year cost for FY 2017 is \$111,810 and will be funded through reductions in the Department operating budget.

On January 12, 2016 Vice Chairman Buona moved that the Finance/Government Operations and Economic Development Committee recommend the Board of Supervisors authorize the creation of 1.07 FTE within the Department of Fire, Rescue and Emergency Management for one management/budget analyst position. Seconded by Chair Randall. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Election District: Countywide

Staff Contacts: W. Keith Brower, Jr., Chief, Fire, Rescue and Emergency Management
James Williams, Deputy Chief, Fire, Rescue and Emergency Management
Mary L. Maguire, Fire, Rescue and Emergency Management

7. Quarterly Report/Upcoming Contracts 3rd Quarter, FY 2016

Since 2009, staff has provided a report of upcoming projects to the Finance/Government Operations and Economic Development Committee (FGOEDC) on a quarterly basis at the Committee's request. This report provides information on projects that exceed \$1 million and/or contracts that affect service delivery and would require future action by the FGOEDC and the Board of Supervisors (Board). This item is intended to provide advance notice of these major items to the Committee members and an opportunity to ask questions of staff and request specific information that they would like to see in the future action items. Attachment 1 provides information on contracts that will require action by the FGOEDC during the third quarter of FY 2016. Attachment 2 provides information on contracts that are expected to require action by the FGOEDC during the fourth quarter of FY 2016. These items will subsequently be forwarded to the full Board for final action.

Election District: Countywide

Staff Contacts: Cheryl Middleton, Finance and Procurement
John Sandy, County Administration

8. Quarterly Report/Capital Improvement Projects 2nd Quarter, FY 2016

The Finance/Government Operations and Economic Development Committee has requested a quarterly update on key Capital Improvement Projects which reports on the progress of various stages of pre-design, design, land acquisition and construction. This information item presents a quarterly report for the second quarter of FY 2016 and covers the months of October, November, and December 2015.

Joe Kroboth, Transportation and Capital Infrastructure, responded to Supervisor Saines that the acquisition of land was complete for the Sterling Fire and Rescue project.

Supervisor Saines requested Leo Rogers, County Attorney, to meet regarding the County Attorney's recent meeting with the Sterling Volunteers' Attorney and Representative or

Eloisa Thring, Transportation and Capital Infrastructure (DTCI), updated Supervisor Saines on the Sterling Sidewalk projects were waiting on landowner easement agreements. Supervisor Saines asked DTCI for the design and easement plans.

Joe Kroboth explained to Vice-Chairman Buona that the contractor on the Waxpool Road to Faulkner project were waiting on the utilities relocation work and remaining two easements.

Eloisa Thring replied to Vice-Chairman Buona that the Old Ashburn sidewalks project was currently under review by Virginia Department of Transportation (VDOT) and Loudoun Water. She added that they have met with six of twelve property owners that would be impacted.

Mark Hoffman, Transportation and Capital Infrastructure, responded to Chair Randall's budget concern on the Lovettsville Community Center, had additional requirements that needed met which were set by the Town of Lovettsville. He added that the construction was confined to a small space since the center remained operational.

Mark Hoffman explained to Supervisor Saines that the Sterling Community Center was in the negotiation of fees for the design phase.

Susan Glass, Transportation and Capital Infrastructure, told Chairman Letourneau that the County was not made aware of schedule delays for the Route 606 widening.

Joe Kroboth replied to Chairman Letourneau that the Claiborne Parkway plans and specifications have been sent to VDOT for review. He added the gas line needed an engineering analysis and the impacts for the fill that would be put over the line to be completed.

Election District: Countywide

Staff Contacts: Joe Kroboth, Transportation and Capital Infrastructure
Mark Hoffman, Transportation and Capital Infrastructure
Melissa Tello, Transportation and Capital Infrastructure

9. Affirmation of Personal Property Tax Rates for 2016

As part of the FY17 budget process, the Board of Supervisors (Board) will establish the personal property tax rates for tax year 2016. However, since most personal property taxes are due May 5, the Board needs to consider personal property tax rates before the adoption of the real property tax rate and appropriations at the beginning of April. Should the Board wish to change Loudoun's personal property tax rate on the general class of property or establish alternative personal property tax rates on any of the classes of property listed in § 58.1-3506, the Board will want to direct the County Administrator, as part of the FY17 budget process, to advertise a maximum proposed rate for each separate class of property for tax year 2016. The rates would then be advertised with all the maximum proposed CY2016 property tax rates in early February 2016. As such, it is recommended personal property tax rates be affirmed at the Board's regular business meeting on January 21, 2016. Although personal property tax rates can be set as late as the Board's first business meeting in March of 2016, such a delay in the adoption of the rates would have a negative impact on the 2016 first half billing process.

On January 12, 2016 Chairman Letourneau moved that the Finance/Government Operations and Economic Development Committee recommend that the Board of Supervisors affirm the 2016 personal property tax rates as shown in this item as part of the FY 2017 budget. Seconded by Vice Chairman Buona. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Robert Wertz, Commission of Revenue, commented that he will provide information on the Aircraft & Flight Simulators tax rate for neighboring jurisdictions to Supervisor Saines.

Election District: Countywide
Staff Contacts: Robert S. Wertz, Jr, Commissioner of Revenue
H. Roger Zurn, Jr., Treasurer
Doug Kinney, Management and Budget

10. FY 2016 Capital Improvement Program Amendment/Use of Local Gasoline Tax Funding for Mooreview Parkway

This item requests an amendment to the FY 2016 Capital Improvement Programs (CIP) and budget to transfer \$1,800,000 from the Transportation District Fund in local gasoline tax funding to the Capital Fund to fund the Mooreview Parkway (\$1,800,000) capital project. The additional funding being requested in this item is required to relocate a gas line that interferes with development of the Mooreview Parkway project, between Croson Lane and Old Ryan Road. Due to significant demand nationwide for labor and natural gas line construction brought about by the expansion of fracking to extract natural gas from the ground, gas pipeline construction labor is in short supply, which is driving up the costs and availability of labor to construct new gas pipelines or relocate existing gas transmission lines. The Mooreview

Parkway project is a critical missing highway link needed to provide connectivity to the planned Ashburn Metrorail Station.

More information is available online at:

http://loudoun.granicus.com/MediaPlayer.php?view_id=68&clip_id=4292&meta_id=91843

Chairman Letourneau suggested elected leadership of the Board work with County Staff and the County Attorney to reach an agreement for the pipeline work.

On January 12, 2016 Chairman Letourneau moved that the Finance/Government Operations and Economic Development Committee table the FY 2016 Capital Improvement Program Amendment/Use of Local Gasoline Tax Funding for Mooreview Parkway. Seconded by Chair Randall. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Election District: Dulles

Staff Contacts: Daniel Csizmar, Transportation and Capital Infrastructure
Joe Kroboth, Transportation and Capital Infrastructure
Erin McLellan, Management and Budget

11. Proposed Code of Ethics and Standards of Conduct

At the January 6, 2016 Business Meeting, the Board of Supervisors voted unanimously (9-0) to forward the proposed Code of Ethics and Standards of Conduct policy as part of their inaugural Organizational Matters item to their January 12, 2016 Finance/Government Operations and Economic Development Committee (FGOEDC) Meeting for further deliberations and potential recommendation to the Board.

On January 12, 2016 Vice Chairman Buona moved that the Finance/Government Operations and Economic Development Committee recommend that the full Board of Supervisors approve the Code of Ethics and Standards of Conduct as presented in the Supplement to Item #11 at the January 12, 2016 FGOEDC meeting.

Vice Chairman Buona further moved that Item #7 in the proposed Code of Ethics and Standards of Conduct be modified as follows: As a Corporate Body, adopt policies and programs that are in accordance with the County's Equal Employment Opportunity Policy, and that support the rights and recognize the needs of all citizens.

Seconded by Chairman Letourneau. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Chair Randall moved a friendly amendment to modify Item #10 in the January 12, 2016 proposed Code of Ethics and Standards of Conduct as follows: Never use information gained confidentially in the performance of governmental duties as a means of making a profit for oneself, one's family, staff or close family relations. Vice Chairman Buona accepted the friendly amendment to also include: Never use information gained confidentially in the performance of governmental duties as a means of making a profit for oneself, one's family, staff or close family relations or any business which the Board

member has a personal financial interest. Chairman Letourneau as seconder accepted the friendly amendments.

Chair Randall moved a friendly amendment to modify Item #12 in the January 12, 2016 proposed Code of Ethics and Standards of Conduct as follows: Use county resources, county staff or staff that is in any way financially compensated by the County of Loudoun, only to conduct county business. Adhere to Board policy regarding district budgets and our own legislative aides. Vice Chairman Buona and Chairman Letourneau accepted the friendly amendment.

Supervisor Saines moved a friendly amendment to modify Item #7 in the January 12, 2106 proposed Code of Ethics and Standards of Conduct as follows: to have “all citizens” in capital letters.

Chair Randall moved a formal amendment to add an additional Item #15 in the January 12, 2016 proposed Code of Ethics and Standards of Conduct as follows: If at any time a member of the County of Loudoun’s Board of Supervisors inadvertently or intentionally violates this Code of Ethics said person will immediately make that violation known to the appropriate persons to include, but not limited to the following: the County Administrator, the County Attorney, the Chair and Vice Chair of the Corporate Body. Seconded by Supervisor Saines.

Supervisor Saines moved a friendly amendment to modify Item #15 in the January 12, 2016 proposed Code of Ethics and Standards of Conduct as follows: to strike out, “but not limited to” and strike out “the Chair and Vice Chair of the Corporate Body”.

Chair Randall withdrew the formal amendment.

Chair Randall moved a formal amendment to that the Finance/Government Operations and Economic Development Committee recommend that the full Board of Supervisors approve the Code of Ethics and Standards of Conduct as revised at the January 12, 2016 FGOEDC meeting. Seconded by Vice Chairman Buona. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

The main motion passed (4-0-1, Supervisor Buffington absent for the vote).

More information is available online at:

http://loudoun.granicus.com/MediaPlayer.php?view_id=68&clip_id=4292&meta_id=91848

Election District: Countywide

Staff Contacts: Leo Rogers, County Attorney

12. Monthly Report/Implementation of the Enterprise Resource Planning (ERP) System

The Loudoun County Government and Loudoun County Public Schools began implementation of a new ERP System in January 2012. On December 4, 2013, the Board of Supervisors appropriated additional funds to complete implementation of all three phases of the System. In addition, the Board of Supervisors requested that staff provide monthly status reports based on cost, schedule, and technical milestones with associated variances. No additional funds are requested for the month of January. All ERP Implementation Funds have been released.

Election District: Countywide

Staff Contacts: John Sandy, County Administration
Robert Middaugh, County Administration
Wendy Wickens, Information Technology
Penny Newquist, Finance and Procurement
Vince Marchesano, Vivad Technologies, LLC

13. Closed Session

On January 12, 2016 Chairman Letourneau moved that the Finance/Government Operations and Economic Development Committee recess this public meeting and enter into closed session pursuant to Virginia Code Section 2.2-3711 (A) (7) for actual or probable litigation and for consultation with legal counsel and briefings by staff on the contract with AST Corporation for the implementation of ERP. Seconded by Vice Chairman Buona. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Chairman Letourneau moved that the closed session be adjourned, that the Finance/Government Operations and Economic Development Committee reconvene its public meeting and that the minutes of the public meeting should reflect that no formal action was taken in closed session. Seconded by Vice Chairman Buona. The motion passed (4-0-1, Supervisor Buffington absent for the vote).

Chairman Letourneau moved that the Resolution Certifying the Closed Session be adopted and reflected in the minutes of this public meeting.

Resolution Certifying Closed Session

Whereas, the Finance/Government Operations and Economic Development Committee this 12th day of January, 2016, convened in closed session by an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Now, therefore, be it resolved that the Finance/Government Services and Operations Committee does hereby certify that to the best of each members' knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and (2) only such public business matters as were identified in the motion by which the said closed session was convened were heard, discussed or considered by the Finance/Government Services and Operations Committee.

Seconded by Vice-Chairman Buona. The motion passed (4-0-1 Supervisor Buffington absent for the vote).

Election District: Countywide
Staff Contacts: Leo Rogers, County Attorney

ADJOURNMENT

Chairman Letourneau adjourned the meeting at 9:12 p.m.